

REMARKS

This Amendment is filed in response to the Office Action dated March 24, 2004, which has a shortened statutory period set to expire June 24, 2004.

Drawings Comply With 37 CFR 184(p) (5)

The Office Action indicates that Fig. 1 refers to a reference character 310, which is not mentioned in the specification. Applicants are confused and request clarification.

Reference numeral 310, as shown in Fig. 3 (not Fig. 1), refers to a configuration server. Configuration server 310 is described in the Specification, e.g. page 18, line 15 to page 20, line 7. Please note that both Figs. 1 and 3 show a phone application platform 110, wherein only the embodiment shown in Fig. 3 includes configuration server 310.

Based on these remarks, Applicants believe that changes to the drawings or amendments to the specification are not needed. Therefore, Applicants respectfully request reconsideration and withdrawal of the objection to the drawings.

Informalities In Claims 1 And 6 Are Corrected

Applicants appreciate the Examiner's close reading of the claims and the suggested changes to Claims 1 and 6 regarding an informality. Applicants have amended Claims 1 and 6 to recite "IP network medium", as suggested by the Examiner. Therefore, Applicants request reconsideration and withdrawal of the objection to Claims 1 and 6.

Cited References Fail To Disclose Or Suggest Applicants' Claims

Claim 1, as amended, now recites in part:

a configuration server for providing automated dynamic management of the network server.

Applicants respectfully submit that neither Aldous nor Brown, either individually or in combination, disclose or suggest this limitation.

Applicants' computerized, IP based voice response system can advantageously operate in a shared network environment where call traffic associated with multiple clients can be efficiently handled. The configuration server is designed to allow easy setup of the network server(s) and the proxy server on the phone application platform. Specification, page 18, lines 18-20. This setup can include routing-related functions (e.g. Specification, page 16, line 19 to page 17, line 7) as well as software configurations (e.g. page 18, lines 20-23 and page 19, lines 11-18).

Aldous teaches a VoIP gatekeeper 14 to provide call management functionality to the VoIP telephony gateway server 3. Col. 6, lines 1-3. In particular, the VoIP gatekeeper 14 can perform load-balancing to ensure that VoIP enabled speech servers 5 are able to receive the voice call. Col. 6, lines 4-6. Aldous further teaches a call control interface 13 that can be included in the VoIP gatekeeper 14 to control the establishment, progress, and termination of voice calls processed through the VoIP gatekeeper 14. Col. 6, lines 12-15.

However, Aldous notably fails to disclose or suggest a configuration server for providing automated dynamic management of the recited network server. Brown fails to remedy the deficiency of Aldous. Specifically, Brown also fails to disclose or suggest the recited configuration server. Therefore, Applicants request reconsideration and withdrawal of the rejection of Claim 1.

Claims 2-5, and new claims 16-21 depend from Claim 1 and therefore are patentable for at least the reasons presented for Claim 1. Based on those reasons, Applicants request reconsideration and withdrawal of the rejection of Claims 2-5. Applicants further direct the Examiner's attention to Claims 16-21, which recite limitations also not taught by the cited references.

Claim 6, as amended, now recites in part:

a proxy server in communication with the PSTN-to-IP gateway for load balancing the plurality of calls and providing call discrimination amongst the plurality of network servers.

Applicants' recited computerized, IP based voice response system can advantageously provide both load balancing and call discrimination. Call discrimination can provide significant advantages in a voice response system. For example, if the number of calls at a given time exceeds a predetermined threshold, then the proxy server can generate one or more messages to instruct the media gateway. Specification, page 16, lines 19-21. Specifically, when the network servers are handling calls from multiple legal entities, a message could stop the acceptance of calls for one legal entity in accordance with one or more limits (e.g. contracts, fairness (everyone has to have capacity for at least X calls) etc.). Specification, page 16, line 22 to page 17, line 2. Responsive to such a message, the media gateway could send one or more messages over the PSTN, e.g. calls to a first number could proceed while calls to a second number could receive a busy signal or some other network status message. Specification, page 17, lines 3-7.

Applicants respectfully submit that neither Aldous nor Brown, either individually or in combination, disclose or suggest this limitation. Specifically, neither reference

teaches anything regarding call discrimination. Therefore, Applicants request reconsideration and withdrawal of the rejection of Claim 6.

Claims 7-8 depend from Claim 6 and therefore are patentable for at least the reasons presented for Claim 6. Based on those reasons, Applicants request reconsideration and withdrawal of the rejection of Claims 7-8.

Claim 9, as amended, now recites in part:

forwarding the packet switched call in the VoIP format from the conversion device to a computer system in accordance with at least one call discrimination rule.

New Claim 22 recites in part:

a proxy server in communication with the IP network medium and the network server, wherein the proxy server provides call discrimination.

Moreover, new Claim 29 recites in part:

means for providing call discrimination in operative relation to the IP network medium and the network server.

Therefore, Claims 9, 22, and 29 are patentable for substantially the same reasons as presented for Claim 6. Claims 10-15 depend from Claim 9 and therefore are patentable for at least the reasons presented for Claim 9. Based on the above reasons, Applicant request reconsideration and withdrawal of the rejection of Claims 9-15.

Applicants further direct the Examiner's attention to Claims 23-28, which depend from Claim 22, and Claims 30-35, which depend from Claim 29. Applicants respectfully submit that Claims 23-28 and 30-35 recite limitations also not taught by the cited references.

CONCLUSION

Claims 1-35 are pending in the present Application.
Applicants respectfully request allowance of these claims.

If there are any questions, please telephone the
undersigned at 408-451-5907 to expedite prosecution of this
case.

Respectfully submitted,



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with the United States Postal Service as FIRST CLASS MAIL in
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24, 2004.

6/24/2004

Date

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